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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-115]

Certain Glass Containers from the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Stephen Bailey or Maliha Khan, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0193 or (202) 482-0895, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 15, 2019, the Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of certain glass containers (glass containers) from the People's Republic of China.¹ Currently, the preliminary determination is due no later than December 19, 2019.

Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits

¹ See *Certain Glass Containers from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 84 FR 56168 (October 21, 2019).

Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner² makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On November 19, 2019, the petitioner submitted a timely request that Commerce postpone the preliminary CVD determination.³ The petitioner stated that it requests postponement because without the postponement Commerce will have insufficient time to select mandatory respondents, and Commerce, the petitioner, and interested parties will have insufficient time to analyze questionnaire responses.⁴

In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting a postponement of the preliminary determination, and Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determination to no later than 130 days after the date on which this investigation was initiated, *i.e.*, February 24, 2020.⁵ Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination

² The petitioner is the American Glass Packaging Coalition.

³ See Petitioner's Letter, "Certain Glass Containers from the People's Republic of China: Request to Postpone Preliminary Determination," dated November 19, 2019.

⁴ *Id.*

⁵ Postponing the preliminary determination to 130 days after initiation would place the deadline on Saturday, February 22, 2020. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: November 27, 2019.

Jeffrey I. Kessler,
Assistant Secretary
for Enforcement and Compliance.
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